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June 27, 1968

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Hale Champion, Development Administrator
SUBJECT: Board of Appeal Referrals

Re: Petition No. Z-1171
Joseph M. Krol, Trustee
39 Chestnut Street, Boston

Petitioner seeks a variance to change occupancy from a lodging house to six apartments in an Apartment (H-2-65) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1 Usable open space is insufficient	150 sq.ft./du	0

The property, a five story brick structure, is located at the intersection of Chestnut and Willow Streets in the Beacon Hill district. The petitioner proposes to convert the lodging house (16 units) to six apartments and is unable to comply with the open space requirement as the existing building occupies the entire lot. The proposed change in occupancy is more desirable than the existing lodging house occupancy. Recommend approval.

VOTED: That in connection with Petition No. Z-1171, brought by Joseph M. Krol, Trustee, 39 Chestnut Street, Boston, for a variance of insufficient open space to change occupancy from a lodging house (16 units) to six apartments in an Apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. The proposed change in occupancy is more desirable than the existing lodging house occupancy.

Re: Petition No. Z-1172
Dominic P. Munafo
106 Boston Street, South Boston

Petitioner seeks a Conditional Use Permit and a variance to erect an auto inspection station in a Local Business (L-1 district). The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7 An automobile inspection station is a Conditional Use in an L-1 district		
Sect. 20-1 Rear yard is insufficient	20 ft.	14 ft.

The property, a vacant lot, is located at the intersection of Boston and Washburn

Streets opposite the exit ramp of the Southeast Expressway. Although the area is zoned for Local Business, three family residences prevail along the Boston Street frontage and in the adjacent neighborhood. The proposal is inappropriate at this site and would have a detrimental affect on the surrounding residential properties. Recommend denial.

VOTED: That in connection with Petition No. Z-1172, brought by Dominic P. Munafo, 106 Boston Street, South Boston, for a Conditional Use Permit and a variance of insufficient rear yard to erect an auto inspection station in a Local Business (L-1) district, the Boston Redevelopment Authority recommends denial. The proposal is inappropriate at this site and would have a detrimental affect on the surrounding residential properties.

Re: Petition No. Z-1173
Bernard J. Murphy
420 West Roxbury Parkway, West Roxbury

Petitioner seeks a variance to erect an addition in a Single Family (S-.5) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 20-1 Rear yard is insufficient	40 ft.	8 ft.

The property is located at the intersection of the West Roxbury Parkway and Sunset Hill Road. The petitioner received a permit in November of 1967 to erect a single family dwelling and a two car garage which work is still in progress. He has erected, without a permit, a covered breezeway connecting the garage with the residence. This petition, in effect, would legalize the existing condition. This is a technical violation of the code as the rear yard deficiency remains unchanged. Approval is recommended.

VOTED: That in connection with Petition No. Z-1173, brought by Bernard J. Murphy, 420 West Roxbury Parkway, West Roxbury, for a variance of insufficient rear yard to erect a breezeway in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends approval. The breezeway, which has been constructed, does not affect the existing rear yard violation. This petition would legalize an existing condition.

Re: Petition No. Z-1174
Herbert M. Staples
9 Knox Street, Boston

Petitioner seeks a Forbidden Use Permit and a variance to change occupancy from three families to a restaurant and two families in an Apartment (H-2) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A restaurant is a Forbidden use in an H-2 district.		
Sect. 17-1	Usable open space is insufficient	150 sq.ft./du	89 sq.ft./du

The property, a three story and basement brick structure, is located on Knox Street between Melrose and Fayette Streets. The restaurant is situated in the basement. This petition, in effect, legalizes a condition existing for over 20 years. Recommend approval.

VOTED: That in connection with Petition No. Z-1174, brought by Herbert M. Staples, 9 Knox Street, Boston, for a Forbidden Use Permit and a variance of insufficient open space to change occupancy from three families to a restaurant and two families in an Apartment (H-2) district, the Boston Redevelopment Authority recommends approval. The restaurant, existing for over 20 years, is appropriate to the general character of the area. The petition, in effect, would legalize an existing condition.

Re: Petitions Nos. Z-1175-Z-1178
Harold Brown
1144-1156 Commonwealth Ave., Boston

Petitioner seeks variances to increase occupancy of four apartment buildings from 44 to 47, 52 to 53, 53 to 54, and 53 to 54 apartments in an Apartment (H-2) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1	Usable open space insufficient (#1144)	150 sq.ft./du	141 sq.ft./du
Sect. 17-1	Usable open space insufficient (#1148)	150 sq.ft./du	103 sq.ft./du
Sect. 17-1	Usable open space insufficient (#1152)	150 sq.ft./du	120 sq.ft./du
Sect. 17-1	Usable open space insufficient (#1156)	150 sq.ft./du	110 sq.ft./du

The five story and basement structures are located on Commonwealth Avenue between Thorndike Street and Harvard Avenue. The proposal, consisting of six additional apartments, is an inappropriate increase in density for this particular property. Furthermore, the petitioner has improperly computed his open space requirements by including space devoted to off-street parking as open space. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-1175-Z-1178, brought by Harold Brown, 1144-1156 Commonwealth Avenue, Boston, for variances of insufficient open space to increase occupancy of four apartment buildings from 44 to 47, 52 to 53, 53 to 54 and 53 to 54 apartments in an Apartment (H-2) district, the Boston Redevelopment Authority recommends denial. The proposed change, consisting of six additional units, is an inappropriate increase in density for this particular property. Furthermore, the petitioner has improperly computed his open space requirements by including space devoted to off-street parking as open space.

Re: Petition No. Z-1179
Beryl Jones
93 Howland Street, Roxbury

Petitioner seeks four variances to change occupancy from a two family to a three family dwelling in a Residential (R-.8) district. The proposal would violate the code as follows:

		Req'd.	Proposed
Sect. 14-1	Minimum lot area is insufficient	5000 sq.ft.	4996 sq.ft.
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	0
Sect. 14-3	Lot width is insufficient	50 ft.	41 ft.
Sect. 14-4	Street frontage is insufficient	50 ft.	41 ft.

The property, a 2½ story frame dwelling, is located on Howland Street near the intersection of Howland Street and Humboldt Avenue. There would be no structural changes and the proposal conforms with the Washington Park Urban Renewal Plan. Recommend approval.

VOTED: That in connection with Petition No. Z-1179, brought by Beryl Jones, 93 Howland Street, Roxbury, for variances of insufficient lot area, lot area for additional dwelling unit, lot width and street frontage to change occupancy from a two family to a three family dwelling in a Residential (R-.8) district, the Boston Redevelopment Authority recommends approval. There would be no structural changes and the proposal conforms with the Washington Park Urban Renewal Plan.

Re: Petition No. Z-1180
 Phoebe G. Heron
 98-100 Whitford Street, Roslindale

Petitioner seeks a variance to erect a one story addition to a two car garage in a Single Family (S-.5) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 19-3 Side yard is insufficient	12 ft.	1 ft.

The property is located on Whitfield Street, a short distance from the intersection of Whitford and Hilburn Streets. The petitioner would erect a one story masonry addition to the rear of the existing garage for the storage of tools. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-1180, brought by Phoebe G. Heron, 98-100 Whitfield Street, Roslindale, for a variance of insufficient side yard to erect a one story addition to the rear of a two car garage in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends denial as submitted.

Re: Petition No. Z-1181
 Joseph Caira
 12 Gardner Street, Allston

Petitioner seeks four variances to erect a three story and basement-24 unit-apartment structure in a Residential (R-.8) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 10-1 Parking it not allowed within 5 feet of a side lot line		
Sect. 14-2 Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	491 sq.ft./du
Sect. 15-1 Floor area ratio is excessive	0.8	1.29
Sect. 17-1 Usable open space is insufficient	800 sq.ft./du	350 sq.ft./du

The property is located on Gardner Street between Linden Street and Harvard Avenue. The petitioner would demolish an existing 2½ story residence. This lot of 16,300 sq.ft. can support eight units without violating the code. The proposal would overcrowd the land and create an undesirable density. There are no special circumstances or conditions affecting the property to justify the granting of the variances. Recommend denial.

VOTED: That in connection with Petition No. Z-1181, brought by Joseph Caira, 12 Gardner Street, Allston, for variances of parking not allowed within five feet of a side lot line, insufficient lot area for additional dwelling unit, insufficient open space and excessive floor area ratio to erect a three story and basement-24 unit apartment structure in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The proposal would overcrowd the land and create an undesirable density. There are no special circumstances or conditions affecting the property to justify the granting of the variances.

June 27, 1968

MEMORANDUM

TO: Boston Redevelopment Authority

FROM: Hale Champion, Development Administrator

SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1163
 Ruth R. Casey
 1401 Centre Street, Roslindale

Petitioner seeks an extension of a non-conforming use permit to change occupancy from a school to a school and office building in a Single Family (S-.5) district. The proposal would violate the code as follows:

Sect. 9-2 An extension of a non-conforming use requires
 a Board of Appeal hearing.

The property is a one story structure located at the intersection of Centre and Weld Streets. The building is presently utilized as a dancing school for children. The petitioner proposes to maintain the school activities while renting a section of the building for office space contingent upon locating a prospective purchaser. The proposal would not have a detrimental affect on the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1163, brought by Ruth R. Casey, 1401 Centre Street, Roslindale, for an extension of a non-conforming use permit to change occupancy from a school to a school and office building in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends approval. The proposal is reasonable and would not have a detrimental affect on the neighborhood.

Re: Petition No. Z-1164
 Everett M. Benson
 115 Navarre Street, Hyde Park

Petitioner seeks a Forbidden Use Permit and two variances to change occupancy from two to three families in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A multi-family dwelling is forbidden in an S-.5 district		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	4000 sq.ft./du	0
Sect. 16-1	Height of building is excessive	2½ stories 35 ft.	3 stories 39 ft.

The property, a 2½ story structure, is located on Navarre Street between American Legion Highway Extension and Ramsdell Avenue. The petitioner would erect dormers on each side of the roof to create a third apartment. The proposal represents an undesirable increase in density and would have an adverse affect on adjacent single family properties. Recommend denial.

VOTED: That in connection with Petition No. Z-1164, brought by Everett M. Benson, 115 Navarre Street, Hyde Park, for a Forbidden Use Permit and variances of insufficient lot area for additional dwelling unit and excessive height of building in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends denial. The proposal represents an undesirable increase in density and would adversely affect the adjacent single family properties.

Re: Petition No. Z-1166
Peter Barges
75 Easton Street, Brighton

Petitioner seeks three variances to erect a three-story and basement-16 unit apartment building in Residential (R-.5) and (R-.8) districts. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-2 Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	864 sq.ft./du
Sect. 15-1 Floor area ratio is excessive	0.8	.88
Sect. 17-1 Usable open space is insufficient	800 sq.ft./du	370 sq.ft./du

The property is located opposite the intersection of Easton and Mansfield Streets. The petitioner would demolish an existing three-story duplex frame structure. The proposed density is incompatible with this predominantly three-family neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1166, brought by Peter Barges, 75 Easton Street, Brighton, for variances of insufficient lot area for additional dwelling unit, usable open space, and excessive floor area ratio to erect a three-story and basement-16 unit apartment building in Residential (R-.5) and (R-.8) districts, the Boston Redevelopment Authority recommends denial. The proposed density would be incompatible with this predominantly three-family neighborhood.

Re: Petition No. Z-1167
Stadium Realty Trust
99-111 Chestnut Hill Ave., Brighton

Petitioner seeks a Forbidden Use Permit and six variances to erect a three-story-240 bed nursing home in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A Nursing Home is a forbidden use in an S-.5 district		
Sect. 10-1	Parking is not allowed in front yard or within 5 feet of side lot line		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	4000 sq.ft./du	0
Sect. 15-1	Floor area ratio is excessive	0.5	1.4
Sect. 16-1	Height of building is excessive	2½ stories 35 ft.	3 stories 41 ft.
Sect. 18-1	Front yard is insufficient	30 ft.	15 ft.
Sect. 23-1	Off-street parking is insufficient	120 spaces	27 spaces

The property is located at the intersection of Chestnut Hill Avenue and Wiltshire Road. The numerous violations indicate the unreasonableness of the proposal in this residential area. Transportation staff reports unfavorably as the Nursing Home would be located on a major traffic artery and should not be permitted to rely on available curb parking. Recommend denial.

VOTED: That in connection with Petition No. Z-1167, brought by Stadium Realty Trust, 99-111 Chestnut Hill Avenue, Brighton, for a Forbidden Use Permit and variances of parking not allowed in front yard or within 5 feet of side lot line, insufficient lot area for additional dwelling unit, front yard, off-street parking and excessive floor area ratio and building height, to erect a three-story-240 bed Nursing Home in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends denial. The numerous violations indicate the unreasonableness of the proposal in this Residential area. Chestnut Hill Avenue is a heavily traversed artery and any intensification of curb parking would create serious traffic problems.

Re: Petition No. Z-1168
Vincent Galbato
17 Highland Street, Hyde Park.

Petitioner seeks a variance to subdivide lot in a Single Family (S-.3) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 20-6 Rear yard is insufficient	40 ft.	25 ft.

The proposed subdivision would create separate lots for the existing residences at 17 Highland and 4 Pond Streets and would not have an adverse affect on the neighborhood. The yard violation is minimal. Recommend approval.

VOTED: That in connection with Petition No. Z-1168, brought by Vincent Galbato, 17 Highland Street, Hyde Park, for a variance of insufficient rear yard to subdivide lot in a Single Family (S-.3) district, the Boston Redevelopment Authority recommends approval. The proposal would not have an adverse affect on the neighborhood. The yard violation is minimal.

Re: Petition No. Z-1170
John A. Sullivan
647 William T. Morrissey Boulevard
Dorchester

Petitioner seeks a Forbidden Use Permit and a variance to erect a two-story office building in a Single Family (S-.5) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7 An office building is a Forbidden Use within an S-.5 district		
Sect. 19-1 Side yard is insufficient	15 ft.	5 ft.

The property is located at the intersection of Morrissey Boulevard and Freeport Street and the petitioner would erect a two-story office structure to the rear of the existing two-story building. This section of the Boulevard, on the fringe of the S-.5 district, is business oriented and abuts Local Business and Light Manufacturing districts. The proposal would not detrimentally affect the surrounding properties. Recommend approval.

VOTED: That in connection with Petition No. Z-1170, brought by John A. Sullivan, 647 Wm. T. Morrissey Boulevard, Dorchester, for a Forbidden Use Permit and a variance of insufficient side yard to erect a two-story office building in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends approval. The proposal would be consistent with existing commercial uses in the area and would not have a detrimental affect on the surrounding properties.